

Assembly Concurrent Resolution No. 95

RESOLUTION CHAPTER 71

Assembly Concurrent Resolution No. 95—Relative to the California Community Colleges.

[Filed with Secretary of State June 24, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

ACR 95, Gomez. California Community Colleges: part-time faculty and classified employees.

This measure would express the intent of the Legislature that community college districts not reduce the hours of part-time faculty or part-time classified employees for the purpose of avoiding implementation of the federal Patient Protection and Affordable Care Act.

WHEREAS, The provisions of the federal Patient Protection and Affordable Care Act (PPACA) relating to employer shared responsibility require large employers, including California community college districts, to provide minimum essential health care coverage for anyone working an average of at least 30 hours per week; and

WHEREAS, Assembly Concurrent Resolution 138 of the 2009–10 Regular Session, chaptered as Resolution Chapter 142 of the Statutes of 2010, expressed the intent of the Legislature that part-time and temporary faculty receive pay and benefits that are equal to those of specified tenured and tenure-track faculty, to the extent funding is provided; and

WHEREAS, The Internal Revenue Service's final ruling in the Shared Responsibility for Employers Regarding Health Coverage defines service hours to include work paid outside of the classroom, including office hours and preparation, for purposes of calculating full-time employment status; and

WHEREAS, Individual college and university employers across the United States have reduced the hours of part-time faculty and part-time employees specifically to avoid compliance with the provisions of the PPACA relating to employer shared responsibility, the operation of which has been delayed until January 1, 2015; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is the intent of the Legislature that community college districts not reduce the hours of part-time faculty or part-time classified employees for the purpose of avoiding implementation of the federal Patient Protection and Affordable Care Act; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Chancellor of the California Community Colleges and to the author for appropriate distribution.

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